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APR 02 2009

Office of Enforcement
Compliance & Environmental
Justice

Josef J. Warhank
Review and Compliance Officer
Montana Historical Society
225 North Roberts Street
P. O. Box 201201
Helena, Montana 59620-1201

March 31, 2009

RE: 2009 Cleaning and Demolition Program and 2009 Interim Measures Work Plan Addendum (Work Plan), Asarco East Helena Facility, Montana Historical Society Review and Comments

Dear Josef:

Thank you for your review of the 2009 Work Plan and the comments outlined in your March 23, 2009 letter. It is my understanding that your March 23, 2009 letter constitutes approval by the Montana Historical Society of the Work Plan cited above. Please notify if my understanding is not accurate.

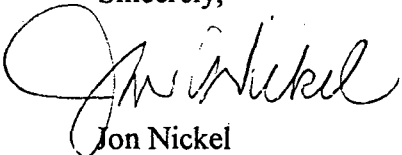
Your March 23, 2009 letter raised questions regarding portions of deliverables previously submitted to your department as part of the 2008 report prepared by ARCADIS. The following discussion provides information on the specific structures you mentioned.

1. Blacksmith Shop – There are no plans to demolish this building under the 2009 Work Plan. A floor plan for the building was included in the 2008 report (Figure 6.39.5).
 2. Direct Smelting Building – This building is scheduled to be cleaned under 2009 Work Plan. There are no plans to demolish this building under the 2009 Work Plan.
 3. Matte Breaking Floor – This building is scheduled for demolition under the 2009 Work Plan.
 4. Sinter Stockpile Building – This building is scheduled for demolition under the 2009 Work Plan.
 5. Charge Building – This building was demolished under the 2007 Work Plan, prior to being notified of historic recordation requirements. We will make an effort to secure engineering plans for this building during the 2009 field effort.
 6. Mist Precipitation Building - This building was demolished under the 2006 Work Plan, prior to being notified of historic recordation requirements. We will make an effort to secure engineering plans for this building during the 2009 field effort.
- As you indicated, the sample mill, the crushing mill, and the acid dust facility are scheduled for demolition under the 2009 Work Plan. Plans for these building, along with the matte breaking floor, sinter stocking building, and other buildings and structures identified in Table 1-1 of the

2009 Work Plan will be included in the documentation report to be prepared by ARCADIS. We will strive to have all deliverables as legible as possible.

In addition to your correspondence dated March 23, 2009, additional documents have been requested through phone conversations with Connie Cole of ARCADIS. These include providing an entire copy of the 2008 report for the Historical Society Library as well as a preparing a compact diskette of photographs in the report. I have authorized ARCADIS to prepare these documents, which should be forthcoming shortly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jon Nickel".

Jon Nickel

Cc: Linda Jacobson
Denise Kirkpatrick
Iver Johnson